



503021-A-01-US (Denby)

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD AND APPARATUS FOR AUTOMATIC DETERMINATION OF PERFORMANCE PROBLEM LOCATIONS IN A NETWORK** the specification of which was filed on August 19, 2003, as application Serial No. 10/643,275.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

Brian K. Dinicola	(Reg. No. 36122)
Paul Gardon	(Reg. No. 48761)
David Volejnicek	(Reg. No. 29355)

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

Full name of 1st joint inventor: Lorraine Denby

Inventor's signature Lorraine Denby Date 9/12/2003

Residence: Berkeley Heights, Union County, New Jersey

Citizenship: United States of America

Post Office Address: 84 Rutgers Avenue  
Berkeley Heights, New Jersey 07922

Full name of 2nd joint inventor: Bengi Karacali

Inventor's signature Bengi Karacali Date 9/12/2003

Residence: Basking Ridge, Somerset County, New Jersey

Citizenship: ~~United States of America~~ TURKEY

Post Office Address: 78 Monarch Circle  
Basking Ridge, New Jersey 07920

Full name of 3rd joint inventor: Jean Meloche

Inventor's signature Jean Meloche Date Sep 15 2003

Residence: Madison, Morris County, New Jersey

Citizenship: Canada

Post Office Address: 85 Central Avenue  
Madison, New Jersey 07940

ATTACHMENT A

Attorney Name(s):	Joseph B. Ryan	Reg. No. 37922
	Kevin M. Mason	Reg. No. 36597
	William E. Lewis	Reg. No. 39274
	Robert J. Mauri	Reg. No. 41180
	Wayne L. Ellenbogen	Reg. No. 43602
	Michael J. Chang	Reg. No. 46611
	Robert W. Griffith	Reg. No. 48956

Telephone calls should be made to Joseph B. Ryan of Ryan, Mason & Lewis, LLP at:

Phone No.: (516) 759-7517

Fax No.: (516) 759-9512

All written communications are to be addressed to:

Ryan, Mason & Lewis, LLP  
90 Forest Avenue  
Locust Valley, New York 11560